

REMARKS

Claims 1-20 are now present in this application. Claims 1, 9 and 17 are independent.

Amendments have been made to the Abstract of the Disclosure and claims 1-20 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Priority Under 35 U.S.C. § 119

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

Information Disclosure Citation

Applicant thanks the Examiner for considering the references supplied with the Information Disclosure Statement filed May 18, 2009, and for providing Applicant with an initialed copy of the PTO-SB08 form filed therewith.

Objection to the Abstract

The Examiner objected to the Abstract as containing reference numerals. To overcome this objection, Applicant submits a new Abstract with this response.

Claim Objections

The Examiner has objected to claims 1-20 because of several informalities. In order to overcome this objection, Applicant has amended claims 1-20 in order to correct the deficiencies pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 1-8 and 17-20 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis.

In order to overcome this rejection, Applicant has amended claims 1 and 17 to correct each of the deficiencies specifically pointed out by the Examiner. Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim et al. in view of McNairy. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

The Examiner states that Kim et al. discloses the invention as claimed except for an annular washer. The Examiner states that McNairy discloses a washer (not numbered) above clutch 72. However, McNairy discloses a brake and clutch member 55 above the clutch member 72. The washer indicated by the Examiner is a space for the clutch 72 to move upwardly and downwardly as oil is supplied through a passage 67 (see col. 4, lines 65-72). No structure resembling a washer is seen in the drawings or described in the written description. In fact, the written description suggests that there is nothing between the brake and clutch member 55 and the clutch member 72. If the Examiner continues to assert that a washer is shown, clarification is respectfully requested.

Moreover, the Examiner states that it would have been obvious to use a washer with the direct drive motor of Kim et al. as taught by McNairy in order to protect the motor in all weather conditions. Kim et al. discloses a driving unit in a drum type washing machine and the need to protect the motor against weather conditions is not a concern. In addition, McNairy does not disclose an annular washer in close contact with, and fixedly secured to, the rear wall of the rotor, as recited in claim 1 and 9 or in close contact with an outer side of, and fixedly secured to, the rear wall of the rotor, as recited in claim 17.

Applicant respectfully submits that the combinations of elements as set forth in independent claims 1, 9 and 17 are not disclosed or made obvious by the prior art of record, including Kim et al. and McNairy, for the reasons explained above. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

With regard to dependent claims 2-8, 10-16 and 18-20, Applicant submits that these claims depend, either directly or indirectly, from independent claim 1, 9 or 17 which are allowable for the reasons set forth above, and therefore claims 2-8, 10-16 and 18-20 are allowable. In addition, these claims recite further limitations which are not disclosed or made obvious by the applied prior art references. Reconsideration and allowance thereof are respectfully requested.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chris McDonald, Registration No. 41,533, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: August 27, 2009

Respectfully submitted,

By 

James T. Eller, Jr.

Registration No.: 39,538

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant